

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

AARON MICHAEL SHAMO, et al.,

Defendants.

2:16-CR-631 DK

BEFORE THE HONORABLE DALE KIMBALL

DATE: AUGUST 20, 2019

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TESTIMONY OF VIRGINIA KEYS

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1 AUGUST 20, 2019

SALT LAKE CITY, UTAH

2 P R O C E E D I N G S

3 * * *

4 (Testimony of Agent Virginia Keys)

5 THE COURT: You may step down, thank you, and
6 you may be excused. The government may call it's next
7 witness.

8 MR. GADD: Your Honor, the United States
9 calls Special Agent Virginia Keys.

10 VIRGINIA KEYS,
11 the witness hereinbefore named, being first duly
12 cautioned and sworn or affirmed to tell the truth, the
13 whole truth, and nothing but the truth, was examined
14 and testified as follows:

15 THE CLERK: Please state your name and spell
16 it for the record.

17 THE WITNESS: My name is Virginia Keys.
18 V-i-r-g-i-n-i-a. K-e-y-s.

19 THE COURT: You may proceed, Mr. Gadd

20 MR. GADD: Thank you, sir.

21 DIRECT EXAMINATION

22 BY MR. GADD:

23 Q. Special Agent Keys, are you prepared to
24 testify about your part in the investigation of the
25 drug distribution activities of this defendant and his

1 co-conspirators?

2 A. I am.

3 Q. Before we do that, I just want to give the
4 jury a very brief summary about your background and
5 your experience. Could you tell us a little about
6 yourself.

7 A. Sure. I'm a single mom, and I've lived in
8 Utah for a little over five years, and I enjoy
9 gardening and I like to play volleyball.

10 Q. Thanks. Could you tell us about maybe your
11 education and your background?

12 A. Sure. After I got divorced in 2004, I went
13 back to school, and I finished my bachelor's degree in
14 inter-disciplinary studies. My disciplines are
15 accounting and business and communications with an
16 emphasis in international law enforcement surveillance
17 and cryptography.

18 I continued on my with my master's degree,
19 and I -- my master's is in criminal justice with an
20 emphasis in cyber crime. And during my master's
21 program, I was recruited by the government to become a
22 special agent for IRS Criminal Investigations. After
23 I graduated, IRS CI sent me to training with my
24 children in Georgia, and I put them in school while I
25 was doing my training. We were there for six months.

1 During the -- that was at the Federal Law
2 Enforcement Training Center, or the FLETC is what it's
3 called for short. During the time I was there, I
4 learned about the law. I learned about arrest
5 warrants, search warrants, report writing,
6 interviewing, defensive tactics, all the things that
7 we were going to need to do our job as special agents.

8 And then, after I finished that training, I
9 came back to Washington State, and I worked for IRS
10 Criminal Investigation as a special agent for a little
11 over seven years before they transferred me to Utah.
12 I was here a little over two years with them before I
13 transferred over to FDA Office of Criminal
14 Investigations. For short, I'll just say OCI because
15 it's easier. And I have been with them for a little
16 over three years.

17 During the training that I had with IRS,
18 before I transferred over, my investigations included
19 gun smuggling, prostitution, Ponzi schemes, money
20 laundering schemes, drug smuggling, those types of
21 crimes. And then, with FDA, my investigations include
22 investigating misbranding, adulteration, tampering,
23 counterfeit drugs that contaminate the drug supply.
24 And then, part of my responsibilities as well, is to
25 investigate overdoses and overdose deaths associated

1 with those cases.

2 Q. You said FLETC and it just reminded me, the
3 law enforcement -- the federal law enforcement loves
4 its acronyms. Is that fair to say?

5 A. It does.

6 Q. If I fall into that habit of using acronyms,
7 will you correct me?

8 A. Sure.

9 Q. Okay. So when people find out you're a law
10 enforcement agent in the Food and Drug Administration,
11 do you get quizzical looks?

12 A. I do. I actually get razzed pretty good. A
13 lot of people ask me if I'm just there to keep their
14 food safe. But there's a little bit more to it than
15 that.

16 Q. For sure. For sure. Let's talk for a minute
17 about this exhibit right here. This is true
18 Oxycodone, isn't it?

19 A. It is.

20 Q. Did you obtain -- oh, and maybe for the
21 record, this is Exhibit 24.00. Did you obtain true
22 Oxycodone pills from Actavis?

23 A. I did.

24 Q. Did you also obtain true Oxycodone pills from
25 Mallinckrodt?

1 A. I did. The Mallinckrodt pills are stamped or
2 embossed with an M box and then the Actavis are
3 stamped with an A-215.

4 Q. I'm holding Exhibit 24. These are those
5 pills you obtained, right?

6 A. That is correct.

7 MR. GADD: Your Honor, at this time I would
8 like to take a moment and pass these around the jury.

9 THE COURT: All right.

10 (Jurors looking at Exhibit 24.)

11 THE WITNESS: You can touch them if you want,
12 if it's easier to see the embossment. I'll just make
13 sure and count them when I get that back.

14 THE COURT: Don't take any out.

15 Q. By MR. GADD: I said two names there, Actavis
16 and Mallinckrodt. Those are the pharmaceutical
17 companies that sell these pills?

18 A. They are. They are registered with the FDA
19 and approved to manufacture the actual Oxycodone pills
20 for distribution in the United States.

21 Q. And for these real Oxycodone pills, the
22 active pharmaceutical ingredient is Oxycodone,
23 correct?

24 A. Oxycodone, yes.

25 Q. Let's take a minute and just do a little bit

1 of housekeeping. So the FDA, the Food and Drug
2 Administration, it has a chemistry lab, correct?

3 A. It does. It's called the Forensic Chemistry
4 Center.

5 Q. Did you arrange for some of the pills from
6 Mr. Shamo and some of the punches and dies from
7 Mr. Shamo, did you arrange for those to be sent from
8 the DEA lab to your -- the FDA lab?

9 A. I did.

10 Q. I just want to read those through so that
11 they are clear in the record, and what I'll do is I'll
12 read not our court exhibit number, but I'll read the
13 DEA drug exhibit number, and then at the end, I want
14 to ask you if I got them right.

15 So in this category of items that you
16 arranged for the FDA lab to test, I show that we have
17 DEA Exhibit Number 14, 34, 64, 123, 193, 85, 95.01,
18 95.02, 96, 136, 174.01, 174.02, 188, 54, 15, 97, 126,
19 173, 185, 177, 178 and 179. Does that sound correct?

20 A. It does.

21 Q. And we heard some about this yesterday,
22 right?

23 A. We did.

24 Q. The chemists were talking about how some of
25 the items that they had tested or sampled had bits

1 removed so that they could go into special programs,
2 correct?

3 A. Correct.

4 Q. All right. Let's jump back into it. Could
5 we look at 1706. Can you see that on your screen?

6 A. I do.

7 Q. Could you point out for the jury Alex Tebbs?

8 A. Sure. So if you look at the bottom row, the
9 third row, the farthest to the right, Ms. Tebbs has
10 the red hair, and she's the very last one in that row.

11 Q. What role did Ms. Tebbs play in Mr. Shamo's
12 organization?

13 A. She was the pseudo-executive assistant for
14 him. She would also run errands. She would clean his
15 house, different tasks that he would ask her to do.
16 And that also includes helping him try to get into
17 other businesses.

18 Q. Have you reviewed the text messages that were
19 captured between Ms. Tebbs and Mr. Shamo?

20 A. I have.

21 Q. Could we look at 14.04. Could you read that
22 to the jury.

23 A. Sure. The "local user" is Mr. Shamo, and the
24 gray box is Ms. Tebbs or Alex.

25 Mr. Shamo: Hey, Alex, any news on the

1 T-shirt bis?

2 Alex: He hasn't said anything yet. Do you
3 want me to offer him a price?

4 Mr. Shamo: Yeah. Offer 5K and see what he
5 says. I want to get the ball rolling on it. BTC is
6 doing really well, so the sooner I get a bis up, the
7 better.

8 As you've heard, BTC is short for BitCoin.

9 Alex: Okay. Perfect. I'll text him now.

10 Alex: Also, if it's cool with you, I can get
11 your watches fixed today and drop off the dry clean
12 and come down tomorrow. I asked him what he thinks,
13 so we'll see what he says.

14 Mr. Shamo: Yeah. No pressure on when you
15 come down.

16 Alex: Okay. Perfect. I just figured I
17 would have more stuff done by tomorrow. It would be a
18 little more productive, lol. When I go on lunch in
19 about half an hour, I'll call the food bank and get
20 some time set up.

21 MR. SHAMO: Oh, yeah. Need that done for
22 sure, lol. I have some paperwork I might need filled
23 out for this class I need. I might send you in to do
24 it. Also, I need to get a dentist appointment. Can
25 you maybe find one close by to me and get one set up?

1 Q. Let's talk for just a minute about the offer
2 for the T-shirt business. Are you aware of other
3 instances where Mr. Shamo tried to buy a legitimate
4 business through which he could launder drug money?

5 A. Yes.

6 Q. Let's look at 14.06. Can you read this one
7 as well?

8 A. Yes. Again, Mr. Shamo is in blue, and Alex
9 is in the gray.

10 Mr. Shamo: Both. I had someone drive me to
11 the airport and asked them to leave the truck keys on
12 the counter. That obviously didn't happen. If you
13 can do the dishes in the sink and get a shoe rack that
14 I pointed out, that would be great. I forgot to
15 transfer BTC -- or BitCoin -- over to my online
16 wallet, so I can't set up the trade today. I can't
17 remember what else, but I'll have to get you more cash
18 to get Legal Zoom going. What time was the detail
19 appointment at? Hey, I need you to run some paperwork
20 into Prime For Life for me. They are open 'til 9 p.m.
21 most nights, so anytime in the next few days would be
22 great if you can. Also, I'm moving forward with the
23 gym this week and meeting with the owner in the next
24 few days for lunch, so I'll really need some legal
25 paperwork set up soon for that. Most likely we'll use

1 Legal Zoom since it's easy. Also, can you get the
2 shoe rack that I picked out and reschedule the
3 appointment for the detailing? I was pissed. Allie
4 took the keys to the truck, so sorry about that, but
5 let me know your thoughts and coordination for this.

6 Allie: No big deal at all, lol. I already
7 left after I tried to call. It was my cousin's
8 birthday party, so I went to that, ha, ha. But, yes,
9 I'll get on that. What shoe rack was it you wanted?
10 Would you like me to get hold of Legal Zoom? I
11 rescheduled for this Saturday, so no biggy, and I'll
12 get started on the paperwork. You just want a
13 contract between you two saying you will be part
14 owner. Any other details I need to know?

15 Mr. Shamo: Yeah. It will be a startup for
16 the gym since it's not legal yet, but I'll get more
17 details, how he wants us to set it up in the next few
18 days. Also figure out a name for the one shirt bis.
19 I want to get that started soon. Ugh. It's going to
20 be a super busy week for me. Let me know what day you
21 can come down to do the paperwork for Prime For Life.
22 Carpet cleaners this week. Please try and set up for
23 Thursday or Friday.

24 Q. The date on these messages that you've just
25 read, it's June of 2016, correct?

1 A. Correct.

2 Q. Let's look at just one or two more. Could we
3 look at 14.05. Ms. Tebbs' role wasn't just running
4 errands or trying to set up businesses that he could
5 purchase or launder his money through?

6 MR. SKORDAS: Objection to counsel's
7 characterization of laundering money.

8 THE COURT: Objection -- what's the question
9 -- sustained.

10 Q. BY MR. GADD: I probably should throw a
11 question in there. I will. In what we are about to
12 read here in 14.05, did you see additional steps that
13 the defendant asked Ms. Tebbs to take in her work for
14 him?

15 A. I did. He wanted her to also make BitCoin
16 trades for him.

17 Q. Let's read that, would you?

18 A. Mr. Shamo is in the blue. Alex is in the
19 gray again.

20 Mr. Shamo: Hey, my biggest BTC trader is in
21 town tomorrow. Think you can make the trade for me?

22 Alex: Yes. I can definitely do that. I'm
23 free tomorrow, so any time morning sometime would be
24 best.

25 Mr. Shamo: Awesome. I'll set it up.

1 Alex: Sorry. I'm at work. I can call you
2 around 5 or 6 if that's okay. Are you going to do
3 Vegas?

4 Mr. Shamo: Okay. I'm going. Can I send you
5 my card info and you buy the 9:50 flight?

6 Alex: Yes. For tonight?

7 Mr. Shamo. Yes.

8 Alex: Okay. Southwest, right?

9 Q. And then let's look at one other. Let's look
10 at 14.07. This will be our last one for Ms. Tebbs.
11 In addition to engaging her to trade BitCoin, did she
12 also buy stamps at his request?

13 A. She did.

14 Q. Let's look at this now, and could you read
15 this for us?

16 A. Yes. Again, Mr. Shamo is in blue. Alex is
17 in gray.

18 Mr. Shamo: I need those stamps ASAP. Can I
19 get your bank account info so I can drop cash in?

20 Alex: Yes. Give me a sec. My account
21 number is 2910962 and I am at Golden West. It's Alex
22 Tebbs on the account.

23 Mr. Shamo: I've been down south most of my
24 day and haven't had a chance to get it. I might just
25 give you cash when you come down next. Meh. Also,

1 don't hate me, but I have another watch to do, lol.

2 I'll talk to you.

3 Alex: I can get order it -- I'm sorry -- I
4 can just order it, and you can just pay me back. What
5 exactly is it? I'm fine. I'm used to it now.

6 Mr. Shamo: Lol. Priority stamped the 6.451,
7 I think. I need 1,000 of them, so it will be around 7
8 K, if you can front that.

9 Q. When you see in there the 6.451, what does
10 that mean, if anything, to you?

11 A. That's a priority stamp that actually
12 includes the tracking amount and stuff in the price.

13 Q. And is that the price, \$6.45?

14 A. It is.

15 Q. Let's turn away from Ms. Tebbs now, and let's
16 talk about eBay items. So, did you help analyze
17 Mr. Shamo's computers and data that was received
18 either from subpoenas or search warrants?

19 A. I did.

20 Q. All right. Could we look at Exhibit 17.09.
21 Do you recognize this?

22 A. I do.

23 Q. Did you compile a list of some relevant items
24 that were, to use their phrase, won or purchased on
25 eBay?

1 A. I did.

2 Q. Let's look at these items that you flagged.
3 Can you walk us through what each of the columns
4 means?

5 A. Sure. When you look on the left, that's the
6 purchase date and time of the auction. One of the
7 things about eBay is when you -- you have two choices.
8 You can either actually be involved in an auction and
9 make bids and compete against other people to try to
10 win the bid, or you can just have a buy now feature,
11 and even if you do the buy now feature, eBay still
12 lists it as you winning the auction.

13 So the second column is the auction title,
14 basically the product that was being either won or
15 purchased immediately, then the buyer's shipping
16 address, the shipping city of the buyer and the buyer
17 shipping name.

18 Q. Can you tell us these -- each row is
19 something that he purchased, correct?

20 A. Correct.

21 Q. Can you walk us through the rows and what
22 they are?

23 A. Sure. So let's start at the bottom just for
24 chronological purposes. So on June 6 of 2015, at
25 16:49, he won or purchased the USPS new 1999 USS

1 Arizona Memorial priority mail express stamp sheet of
2 ten. It was shipped to 1383 East Murphy's Lane in
3 Salt Lake City, and the buyer's shipping name is Aaron
4 Shamo.

5 The next line up, July 8 of 2015, at 16:52,
6 he purchased USPS new 1999 USS Arizona memorial
7 priority mail express stamp, sheet of ten.

8 THE COURT: A little bit slower so she can
9 take it down.

10 THE WITNESS: Sorry. He had it shipped to
11 1383 East Murphy's Lane in Salt Lake City, and the
12 buyer shipping name is Aaron Shamo.

13 Q. BY MR. GADD: So let me jump in for just a
14 moment. As we work our way up, there's going to be
15 several types of dies and stamps, but could you talk
16 specifically about the first and third row and then if
17 you want to do it chronologically, maybe we do the
18 third row first?

19 A. Sure. So, if you go up, it's the third row
20 from the top. In December -- on December 26, 2015, at
21 16:06, he won or purchased the molds of A-215 for
22 tablet press pill press die pill maker TDP 0/1.5/5/6.
23 He had it shipped to 7939 South Titian Street in
24 Cottonwood Heights. Buyer shipping name is Aaron
25 Shamo. And the top line. On March 12 of 2016, at

1 21:45, he won the shipping from USA, A-215 die for
2 tablet press pill press TDP 0/1.5/5/6. He had it
3 shipped to 7939 South Titian Street, Cottonwood
4 Heights. Buyer shipping name is Aaron Shamo.

5 Q. In addition to this chart you've created, I
6 want to look at a couple other exhibits. Can we now
7 turn to Mr. Shamo's emails. This would be exhibit
8 21.34. And then if we could go to page 4. Do you
9 recognize this?

10 A. I do.

11 Q. What are we looking at here?

12 A. This is the PayPal receipt for Mr. Shamo's
13 purchase of one of the A-215 pill dies. He spent, all
14 total, \$124 for it.

15 Q. Then, if we could advance ahead to page 76.

16 A. This is -- whoops.

17 Q. Sorry. Were you going to say something on
18 the previous one or this one?

19 A. This one.

20 Q. Okay. Please, tell us what it is.

21 A. This is another receipt for that second pill
22 die for the A-215 pill die for his pill press. He
23 spent a total of \$124 for this one as well, through
24 PayPal.

25 Q. Let's look at one last set of emails. Could

1 we look at Exhibit 21.08. And if we could go down to
2 page 20. Do you recognize this?

3 A. I do.

4 Q. What is this we're looking at?

5 A. This is eBay, another basic receipt from eBay
6 showing the pill die that he ordered, the A-215. The
7 estimated delivery date was going to be Thursday,
8 March 24th, to Thursday, April 7, and it shows his
9 \$124 payment through PayPal for it.

10 Q. As long as we've got the picture up, let me
11 and you a question about the face of the punch in the
12 picture. Why is it backwards?

13 A. Because when it actually smashes in the pill
14 press together, then it's readable for the person who
15 is looking at it, so it has to backwards on the punch
16 die.

17 Q. And the punches and on the face of the
18 punches that we have seized in this exhibit, I believe
19 it's 13.13, the boxes of dies, you had a chance to
20 actually look at those, correct?

21 A. I did.

22 Q. Did you see that similar backwards, as we
23 read it, looking down at it?

24 A. I did.

25 Q. Let's look at one last page in this exhibit.

1 Could we go to page 30.

2 What's this we're looking at?

3 A. This is another eBay receipt showing that he
4 purchased it as a guest, that Aaron Shamo purchased it
5 as a guest. He paid \$124 through PayPal for it, and
6 it's the other mold for the A-215 pill punch that goes
7 in the pill press.

8 Q. Thanks. I want to change gears one last time
9 entirely. Such is the life of a case agent. Let's
10 talk for a minute now about customers of Mr. Shamo's.
11 Did you spearhead agents' efforts to investigate
12 Pharma-Master's customers?

13 A. I did.

14 Q. Could we look at Exhibit 14.30. And if we
15 could look at page 1,854. We have had this exhibit up
16 quite a bit for the jury. This is the combined daily
17 order sheets, correct?

18 A. It is.

19 Q. And I just wanted to pull out this page to
20 talk about kind of what you saw as an investigator.
21 So we're highlighting now this sale going to Alivia
22 Luckcuck, who there has been some testimony about.
23 When you first started looking at these 1900 pages of
24 orders, did the name on the shipping address, did it
25 mean anything to you?

1 A. No, not necessarily, because as an
2 investigator, in a lot of cases with drug trafficking
3 organizations, sometimes when -- when there are
4 customers orders such as this, they don't use their
5 real name, so we didn't know who all was real and who
6 wasn't.

7 Q. So when you say they don't use their real
8 name, sometimes it's maybe a fake identity they use?

9 A. True, yes.

10 Q. Or an alias?

11 A. Correct.

12 Q. Did some people use straw purchasers?

13 A. Yes.

14 Q. And maybe we could just define that. What's
15 a straw purchaser?

16 A. So a straw purchaser is somebody who the
17 leader of the organization has purchase an item and
18 have it sent to them or sent to somebody else so it
19 sends another layer of anonymity away from the leader
20 of the organization.

21 Q. And then there's been testimony that at least
22 some people used package receivers, correct?

23 A. Correct.

24 Q. And Ms. Luckcuck is a package receiver?

25 A. She is.

1 Q. For the large purchasers, so for this
2 purchaser for example, Trustworthy Money, who is
3 purchasing 10,000 of the Fentanyl pills, what did you
4 and other agents do to further investigation into
5 these types of large purchases?

6 A. When we reviewed all of the pages -- there's
7 1,984 pages of customer orders. And, as we reviewed
8 them, we pulled out the orders of -- the larger orders
9 that were clearly not personal use orders, and we sent
10 leads all over the United States to different law
11 enforcement jurisdictions so that they could follow up
12 on those cases because that was clearly supplies for a
13 dealer in that area.

14 Q. And that took care of the large orders, but
15 I'm hoping you and I can talk about some of the small
16 order customers.

17 A. Uh-huh.

18 Q. Have you personally investigated more than 90
19 of the small order customers?

20 A. I did personally investigate over 90 of the
21 small orders of clients -- or customers.

22 Q. I want to focus just on five who are
23 mentioned in the Indictment.

24 A. Okay.

25 Q. So if we could start first with Gavin

1 Keblish. If we could look at page 748. Do you see
2 his name at the top there?

3 A. I do.

4 Q. Can you explain what was ordered in that
5 transaction?

6 A. I can. Gavin Keblish, his address is 54
7 Seatuck Avenue in East Port, New York. He went under
8 the moniker AJM6753. He ordered Roxy Oxy, 30
9 milligrams. He ordered 40 of them on May 5, 2016, and
10 had priority mail for that package.

11 Q. And then let's look at one more order. If we
12 could go to page 1,214. There's an extra zero in
13 there. Thanks.

14 What did he order on that date?

15 A. He ordered M-box 30 Oxycodone, 30 milligrams.
16 He ordered 20 of those using the moniker AJM6753 and
17 had them sent to him at the 54 Seatuck Avenue, East
18 Port, New York address.

19 Q. Did you look into Mr. Gavin Keblish?

20 A. I did.

21 Q. Did you speak with detectives in this area?

22 A. I did.

23 Q. Did you speak to his family?

24 A. I did.

25 Q. They are here in the courtroom with us?

1 A. They are.

2 Q. Was Gavin a real person?

3 A. He was.

4 Q. Did you speak to Gavin to confirm that he
5 ordered the Fentanyl-laced fake oxycodone from
6 Pharma-Master?

7 A. I did not.

8 Q. Why not?

9 A. He's dead.

10 Q. Let's talk about Conner Valenter. Could we
11 look at page 450. Do you see his name on there near
12 the bottom?

13 A. I do.

14 Q. What was ordered on that date, February 23?

15 A. Conner ordered Fentanyl Roxy Oxycodone, 30
16 milligrams, one pill on February 23 of 2016, using the
17 moniker Spitta.

18 Q. Could we look at page 489. What did he order
19 on February 25?

20 A. He ordered Fentanyl Roxy Oxycodone, 30
21 milligrams, eight pills, under the moniker Spitta, and
22 he had them sent to his address in Seattle,
23 Washington.

24 Q. And, finally, could we look at page 563.
25 What did he order on March 3?

1 A. He ordered Fentanyl Roxy Oxycodone, 30
2 milligram, five tablets using the same moniker of
3 Spitta, and he had them sent to his address in Seattle
4 Washington.

5 Q. Did you look into Mr. Conner Valenter?

6 A. I did.

7 MR. SKORDAS: Your Honor, could we approach?

8 THE COURT: Yes.

9 (Conference among the Court and the attorneys at the
10 bench outside of the hearing of the jury.)

11 THE COURT: These aren't the people who you
12 are claiming the homicide count on, are they?

13 MR. SKORDAS: No.

14 MR. GADD: So the homicide count, his name is
15 Ruslan Kluyev.

16 THE COURT: RK?

17 MR. GADD: Yes, RK. These people are charged
18 in the Indictment; specifically, Mr. Shamo distributed
19 drugs to them. So this was our -- our written motions
20 that were done I think in April and May, where the
21 ruling was we couldn't mention the other customers who
22 are now dead from an overdose, those folks whose names
23 are in the Indictment and Mr. Shamo is charged with
24 distributing drugs that did go to them. I can ask my
25 agent if she interviewed them because that's a major

1 investigative step that any investigator would take.
2 She was ordered by Your Honor to not mention that
3 their death was an overdose. In fact, you will notice
4 we are not going into the death at all.

5 MR. SKORDAS: You've got to be kidding me.

6 MS. BECKETT: The ruling was very contrary on
7 the overdose deaths, and it was specific to: They are
8 allowed to discuss Gregory Lee, who was an overdose,
9 who was investigated because they weren't able to
10 interview him. He is not here testifying. That was
11 what was allowed. They are very, very, very far over
12 the line when they have a family out here crying in
13 the courtroom, and it's clear that the indication is
14 that he was an overdose death. Your Honor's ruling
15 was very clear in that regard.

16 THE COURT: I don't have the order with me, I
17 don't think, but I thought -- I thought you were going
18 to -- I guess I thought there would be a stipulation:
19 The reason we didn't call -- these people weren't
20 investigated. They weren't called because they were
21 dead. That's not really -- I mean, you're leaving
22 more of an impression they died of an overdose and
23 you're trying to connect it to Shamo.

24 MR. SKORDAS: Of course he is.

25 MR. GADD: I'm happy to ask her right now,

1 these four men we are talking about were not --
2 Mr. Shamo was not charged with causing their deaths.
3 We will make it very clear.

4 THE COURT: Yeah, you should do it. But then
5 what else do you need to do?

6 MS. BECKETT: That doesn't fix it.

7 MR. GADD: I still need to prove the counts
8 in the Indictment, the people distributing drugs to
9 these people. The Grand Jury charged it. I've got to
10 ask these questions. I will clarify to make it very
11 clear he is not charged with causing their deaths.

12 MR. SKORDAS: But you can ask if he
13 distributed drugs to them, and you can show that.

14 But when he then asked: Why didn't you
15 interview them -- he didn't ask that about a single
16 other person who allegedly received drugs -- so that
17 she can say, "Because they are dead." That clearly
18 violates the order of this Court.

19 THE COURT: It seems to me it does.

20 MR. GADD: We have asked other people. Jared
21 Gillespie, the other person named in the Indictment,
22 he was interviewed. That was the question we asked.
23 These are just the people named in the Indictment.
24 The Grand Jury charged it. It's part of what I have
25 to prove.

1 MS. BECKETT: You're two steps beyond that
2 when you have family in the courtroom and when you ask
3 him whether or not the family is present. You asked
4 whether or not they were present in the courtroom.

5 MR. GADD: Yes, I did.

6 MS. BECKETT: You have gone way over what the
7 Court's ruling was on the overdose.

8 MR. SKORDAS: I think we need to make a
9 motion outside the presence of the jury at the next
10 break.

11 MR. GADD: Let's take a minute and look up
12 the order or the minutes. This is clearly what was
13 talked about at the hearing.

14 THE COURT: I didn't envision it going this
15 way. I envisioned it, you can say, "These people were
16 charged in the Indictment."

17 MR. GADD: Yes.

18 THE COURT: "We couldn't interview them
19 because they are not here. They are dead."

20 MR. GADD: I did ask that.

21 THE COURT: Why do you need to ask anything
22 else, I guess is my question.

23 MR. GADD: Oh, because we have set this up --
24 because in order for them to be guilty, he has to send
25 it to a real person. How do you prove that they are a

1 real person? You have to investigate it. Right? You
2 talk to detectives who talk to family if you can't
3 find the person.

4 THE COURT: Okay. So you're entitled to give
5 evidence that he sent it to him, but the problem is,
6 you are tying that to the deaths. You've got to say
7 something about you're not charging him with the death
8 of this person.

9 MR. GADD: I will do that right now.

10 MR. SKORDAS: In fact, he did, and if this
11 was a real person. She answered yes. At that time
12 the inquiry is over. Instead, he continues and asks:

13 Did you interview him?

14 No.

15 Why not?

16 Because he's dead.

17 And his whole family is here?

18 You've got to be kidding me, Judge. This is
19 outrageous. I'm sorry.

20 THE COURT: You're going to ask for a
21 mistrial, and I'm going to deny it.

22 MR. SKORDAS: I understand. I need to,
23 though.

24 THE COURT: You don't need to get anymore
25 than that he sent them to him. Why do we need to know

1 anything else?

2 MR. GADD: I understand what the Court has
3 said, and I'll limit myself to it.

4 THE COURT: All right.

5 MR. GADD: Okay.

6 (Proceedings continued in open court.)

7 THE COURT: Go ahead, Mr. Gadd.

8 Q. BY MR. GADD: Special Agent Keys, let's
9 clarify so that we're abundantly clear. The people
10 that we're going to talk about, starting with
11 Mr. Keblish, now Mr. Valenter, they are named in the
12 Indictment, but Mr. Shamo has not been charged with
13 causing their death?

14 A. That is correct. They were his customers.

15 Q. Let's take -- if you'll excuse me, I forgot
16 which question I left off on.

17 A. Right. I don't remember.

18 Q. Let me circle back, and I'll make sure we get
19 the important ones.

20 A. Okay.

21 Q. You looked into Mr. Conner Valenter?

22 A. I did.

23 Q. Was he a real person?

24 A. He was.

25 Q. Let's talk about Edward Blatz. There is a

1 number of orders here. We don't need to necessarily
2 look at them all, but let's look at the first. We
3 have page 417. Do you see the order there for Ed
4 Blatz?

5 A. I do.

6 Q. What was ordered?

7 A. He ordered Roxy Oxycodone, 30 milligrams, two
8 tablets on February 21 using the moniker Veldgear, and
9 he had it shipped to him in Washington, D.C.

10 Q. Now let's jump to the last, if we could look
11 at page 624, and then it goes on to the next page.
12 You can see that there?

13 A. Yes.

14 Q. What did he order this time?

15 A. He ordered Roxy Oxycodone, 30 milligrams, 40
16 tablets, on April 5, 2016, under the moniker Veldgear.
17 And he had it shipped to the same address in
18 Washington, D.C.

19 Q. Did you look into Mr. Edward Blatz?

20 A. I did.

21 Q. Was he a real person or just a name on a
22 page?

23 A. He was a real person.

24 Q. If we could look at Exhibit 18.01. And if we
25 could look at page 2. Who is that?

1 A. This is Gregory Lee.

2 Q. Did you also find orders sent to his address?

3 A. I did.

4 Q. If we could look at -- jumping back to
5 Exhibit 14.30, if we could look at 664. And then it
6 goes on to the next page, so if you could highlight
7 the bottom. Perfect. If you could call that out for
8 us.

9 What was ordered on April 12?

10 A. So April 12 shows that he ordered Roxy
11 Oxycodone, 30 milligrams, one tablet, but it was
12 combined with a second order the next day of Roxy
13 Oxycodone, 30 milligrams, ten tablets, using the
14 moniker T-Wad. And it was sent to Gregory Lee at 3
15 Midvale Drive, Daly City, California.

16 Q. Let's look at one additional order. This is
17 on page 862. And then it goes on -- like the previous
18 one, it goes on to the next page. So there's the top
19 half. Do you see what was ordered there?

20 A. I do. He ordered Roxy Oxycodone, 30
21 milligrams, 10 tablets, on June 6, 2016, using the
22 moniker T-Wad, and it was sent to Gregory Lee at his
23 Midvale Drive address in Daly City.

24 Q. That Midvale Drive is what you see here?

25 A. Yes.

1 Q. Was Mr. Lee a real person?

2 A. He was.

3 MR. GADD: If I can have just one moment?

4 THE COURT: Sure.

5 MR. GADD: Nothing further. Thank you.

6 THE COURT: You thank you, Mr. Gadd.

7 You may cross examine, Mr. Skordas.

8 MR. SKORDAS: Thank you, Your Honor.

9 CROSS EXAMINATION

10 BY MR. SKORDAS:

11 Q. Agent Keys, were you involved in this
12 investigation even after November, when Mr. Shamo was
13 taken into custody?

14 A. I was.

15 Q. And did you help other agents serve a search
16 warrant on a house in Cottonwood Heights in February
17 of 2017?

18 A. I did.

19 Q. And that was some, I guess, two and a half or
20 three months after Aaron was taken into custody,
21 correct?

22 A. Yes.

23 Q. And you served the search warrant on the home
24 that Aaron had previously lived, correct?

25 A. I served it on the garage of the home that he

1 had lived in.

2 Q. Okay. And you -- you found some items in the
3 home, correct?

4 A. In the garage.

5 Q. All right. In the garage. I'm sorry.

6 A. Sorry. I have to be specific.

7 Q. That's all right. And among those items was
8 a crate that had a press in it. Correct?

9 A. Correct. The DEA, during the search warrant,
10 had taken the press out of the crate, but the crate
11 was still in the garage.

12 Q. Of the home?

13 A. Correct.

14 Q. And you seized the crate?

15 A. Yes. Parts of it, yes.

16 Q. Especially this part?

17 A. Yes.

18 Q. What is this part?

19 A. This is one of the sides of the wooden crate
20 that the press came in.

21 Q. And for the record, I'm showing you
22 Government's Exhibit 13.14, I think?

23 A. That's correct.

24 Q. And there's an addressee on that crate,
25 correct?

1 A. Yes.

2 Q. Who's the addressee?

3 A. Luke Paz.

4 Q. At what address?

5 A. Hold on. I got to look through the tape.

6 The address is 1500 Woodland Avenue, in Salt Lake

7 City, Utah.

8 Q. And that crate was found in February in

9 Cottonwood Heights, correct?

10 A. In the garage at the Titian Way home, yes.

11 MR. SKORDAS: I believe that's all I have,

12 Your Honor.

13 THE COURT: Thank you.

14 Any redirect?

15 MR. GADD: No, sir. Thank you.

16 THE COURT: Thank you.

17 You may step down, Ms. Keys. Thank you. You

18 may call your next witness.

19

20

21

22

23

24

25 (Whereupon the testimony of Agent Keys was concluded.)

REPORTER'S CERTIFICATE

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

I, REBECCA JANKE, do hereby certify that I
am a Certified Court Reporter for the State of Utah;

That as such Reporter I attended the hearing
of the foregoing matter on August 20, 2019, and
thereat reported in Stenotype all of the testimony and
proceedings had, and caused said notes to be
transcribed into typewriting, and the foregoing pages
numbered 1 through 35 constitute a full, true and
correct record of the proceedings transcribed.

That I am not of kin to any of the parties
and have no interest in the outcome of the matter;

And hereby set my hand and seal this 21st
day of August, 2019.

REBECCA JANKE, CSR, RPR, RMR